

1 DECEMBER 2004

NEW FOREST DISTRICT COUNCIL

CABINET

Minutes of a meeting of the Cabinet held at Appletree Court, Lyndhurst on Wednesday, 1 December 2004.

- p Cllr M J Kendal (Chairman)
- p Cllr B Rickman (Vice-Chairman)

Councillors:

- p G C Beck
- p P C Greenfield
- p J D Heron

Councillors:

- p Mrs M D Holding
- p M H Thierry
- p C A Wise

In Attendance:

Councillors:

- p Ms L C Ford
- p F R Harrison
- p D A Hibbert
- p R J Neath
- p G J Parkes
- p B M F Pemberton

Councillors:

- p L R Puttock
- p Mrs M J Robinson
- p D N Scott
- p Mrs S I Snowden
- p J G Ward
- p P R Woods

Officers Attending:

D Yates, N Gibbs, C Malyon, J Mascall, Ms J Bateman and Miss G O'Rourke and for part of the meeting G Bettle, D Brown, M Powell, G Prentice and Ms A Righton.

78. MINUTES.

RESOLVED:

That the minutes of the meeting held on 3 November 2004, having been circulated, be signed by the Chairman as a correct record.

79. DECLARATIONS OF INTEREST.

Cllr Rickman declared an interest in Minute No. 83
Cllrs Ford and Thierry declared interests in Minute No. 87
Cllrs Beck and Kendal declared interests in Minute No. 90

80. PUBLIC PARTICIPATION.

No issues were raised during the public participation period.

81. COUNCIL TAX DISCOUNT : POLICY REVIEW – LONG TERM EMPTY PROPERTIES (REPORT A).

The Cabinet reviewed the level of council tax discount that should apply to long term empty properties taking into account the results of a survey of the owners of those properties.

RESOLVED:

That a determination be made in accordance with Sections 11 and 11A of the Local Government Finance Act 1992 (as amended) and The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (SI 2003 No. 3011), in relation to chargeable dwellings in the New Forest District Council area to the effect that from 1 April 2005, in the case of a chargeable dwelling falling within class C, the discount under section 11(2)(a) shall not apply (a dwelling that is unoccupied and is substantially unfurnished).

82. COUNCIL TAX DISCOUNT : POLICY REVIEW – UNOCCUPIED FURNISHED PROPERTIES (REPORT B).

The Cabinet reviewed the level of council tax discount that should apply to unoccupied furnished properties.

Cllr Ward said that the Corporate Overview Panel were of the view that a Council Tax discount of 10% should apply to both Class A and B properties. The Panel had said that services such as fire and police were provided for 12 months of the year. If those in class A properties received a greater discount then other council tax payers would in effect be subsidising them. The Town and Parish Councils also supported that view.

The Finance and Support Portfolio Holder said that class A properties had specific planning restrictions attached to them, which meant that they could only be occupied for 8 months of the year. Therefore those people should receive a greater discount on their council tax.

RESOLVED:

That a determination be made in accordance with Sections 11 and 11A of the Local Government Finance Act 1992 (as amended) and The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (SI 2003 No. 3011), in relation to chargeable dwellings in the New Forest District Council area to the effect that :-

- (i) From 1 April 2005, in the case of a chargeable dwelling falling within class A, the discount under section 11(2)(a) shall be 30%, (a dwelling that is furnished, is not the sole or main residence of an individual and the occupation of which is restricted by planning condition preventing occupancy for a continuous period of at least 28 days in the relevant year); and

- (ii) From 1 April 2005, in the case of a chargeable dwelling falling within class B, the discount under section 11(2)(a) shall be 10%, (a dwelling that is furnished and is not the sole or main residence of an individual).

83. PROPOSAL TO CONSTRUCT ADDITIONAL BEACH HUTS AT MILFORD ON SEA (REPORT C).

Cllr Rickman declared a personal and prejudicial interest in this item as a beach hut owner. He left the meeting during consideration of this item.

The Cabinet considered a proposal to construct seven additional beach huts at Milford-on-Sea for sale on the open market.

RECOMMENDED:

That a supplementary capital estimate of £21,630 for 2004/05 for the construction of 7 additional beach huts at Milford-on-Sea be agreed in order to realise a capital receipt in 2005/06 and additional rental income from 2005/06 onwards.

RESOLVED:

That subject to the agreement of the recommendation above and to the obtaining of planning permission:-

- (i) The construction of seven additional concrete beach huts at Westover Beach, Milford on Sea be approved;
- (ii) The subsequent sale of the beach huts be done on the open market at the best possible consideration to be decided by the Director of Community Services be agreed; and
- (iii) The Director of Community Services be authorised in consultation with the Finance and Support Portfolio Holder, to agree to the construction and subsequent sale of beach huts on any future identified sites anywhere else in the district.

84. OUT OF HOURS SERVICE FOR COLLECTION OF STRAY DOGS (REPORT D).

The Cabinet considered the proposal to move to a consortium based approach for the transfer of the out of office hours stray dog duties, currently carried out by the Police, to local authorities.

The Health and Social Inclusion Portfolio Holder supported the proposal and said that the consortium based approach had been well thought out and would reduce costs. If in the longer term other authorities in Hampshire wished to join the consortium then this would further reduce costs. It would be less practical to include authorities outside of Hampshire as the geographical area could be too large and the original contract would need to be re-tendered.

RECOMMENDED:

That budgetary provision of £20,000 be agreed for 2005/06 which together with £16,000 in the current budget will cover the cost of approximately £36,000 per year for the provision of the out of hours stray dog collection service by the contractor "Animal Wardens" for a period of 5 years.

RESOLVED:

That subject to the agreement of the recommendation above:

- (i) The consortium based approach proposed by the Hampshire Chief Environmental Officers' Group, for the transfer of the out of office hours stray dog duties carried out by the Police to local authorities be agreed; and
- (ii) The Assistant Director of Environmental Health be authorised to enter into a contract with 'Animal Wardens' the successful tenderer commencing on 1 February 2005 on the proviso that the costs do not substantially increase above the current estimate of £36,000.

85. EXPENDITURE PLAN CONSULTATION (REPORT E).

The process and the timetable for the Expenditure Plans for 2005/2006 were included in the Financial Strategy approved by the Council in July 2004. The timetable included consultation with all review panels and committees during November. In considering the comments arising from those meetings the Cabinet were minded to support the view of the Economy and Planning Review Panel in relation to deleting the Business Development Post saving of £15,420 and increasing the proposed saving on the Economic Development Initiatives budget by an equivalent amount to £35,420. They did not feel that they could support the other proposed savings as detailed being reinstated. The Cabinet would give further consideration to all recommendations at their meeting in January.

The Finance and Support Portfolio Holder expressed regret that none of the committees or review panels had made any real attempt to reduce their budget requirements.

The Cabinet noted that the issues surrounding the backlog of Disabled Facilities Grant referrals had now been resolved and no additional funding was now required.

RECOMMENDED:

That the fees and charges as set out in Appendix 1 to Report C to the Cabinet be approved.

RESOLVED:

That the comments made by the Panels and Committees be noted and that further recommendations on the budget be considered at the Cabinet meeting in January.

86. HOUSING LANDLORD SERVICES ANTI-SOCIAL BEHAVIOUR – POLICY AND PROCEDURES (REPORT F).

The Anti-Social Behaviour Act 2003 introduced obligations on local housing authorities to prepare and publish a policy and procedure on anti-social behaviour (ASB) together with a summary of the current policies and procedures.

Following a working party comprising tenants, officers and members, the Cabinet considered a statement of Policy and Procedures on ASB prepared in accordance with the Code of Guidance published by the ODPM.

The Housing Portfolio Holder said that this was an important strategy that he fully supported. He drew particular attention to the proposal to introduce a reward scheme. The scheme would be designed to offer an enhanced service or benefits to Tenants who did not breach their tenancy conditions. Whilst the scheme still needed some refinement it was an innovative idea that could encourage tenants to strive to obtain enhancements on offer.

The Portfolio Holder also said that he was pleased to be able to provide a Witness Support Scheme. Witnesses were crucial in tackling anti-social behaviour. Whilst most anti-social behaviour orders could be obtained using hearsay evidence it was important to provide all necessary support to witnesses in difficult situations.

The Cabinet were pleased to note that the majority of council tenants were good tenants who complied with the conditions of their tenancies.

RESOLVED:

That Anti Social Behaviour Policy and Procedures as attached at Appendix 1 to Report F to the Cabinet be approved and that the documents be published as required.

87. OPEN SPACE PROJECTS IN RINGWOOD (REPORT G).

Cllrs Ford and Thierry both declared personal interests as members of Ringwood Town Council. They did not consider their interests to be prejudicial. They remained at the meeting. Cllr Thierry took part in the discussion and voted. Cllr Ford did not have a vote.

The Cabinet considered three requests from Ringwood Town Council for the use of developers' contributions for open space schemes in the Town. The first scheme was to complete the environmental monitoring of a former gravel pit/landfill site in North Poulner to restore the land to public open space. The second scheme was to fund design costs to develop a community use scheme based on the playing fields of Ringwood Junior School. The third scheme was for the refurbishment of the Northfield Play area where existing provision was inadequate.

RESOLVED:

- (a) That a sum of £8,000 be allocated from developers' contributions for open space, to undertake arrangements to secure the surrender of the Waste Management Licence for land at North Poulner;
- (b) That a sum of £10,000 be made available from developers' contributions for open space to undertake design development of the community use scheme at Ringwood Junior School, this sum to be applied on the basis of terms being agreed for the tenure of the land, to the satisfaction of the Director of Resources and the Director of Community Services;
- (c) That a sum of £20,000 be made available from developers' contributions for open space to undertake the enhancement of Northfield Road play area; and
- (d) That the acquisition of land for public open space be supported by the use of developers' contributions, subject to the satisfaction of the Director of Resources and the Director of Community Services.

88. GAS SERVICING CONTRACT – FUTURE ARRANGEMENTS (REPORT H).

The Cabinet considered the creation of an in-house team to undertake the servicing of gas appliances in the Council's housing stock.

Considerable benchmarking had been undertaken by officers to support the proposal financially. Although it was difficult to compare like with like in the business market, officers were confident that the creation of an in-house team did represent value for money.

Safety was obviously of prime concern. New safety requirements meant that the current arrangements would not be acceptable and the service specification had been substantially revised to take account of this.

RESOLVED:

That the undertaking of the servicing of gas appliances in the Council's housing stock through the creation of a new in-house gas servicing team from 1 April 2005, be approved, the team to consist of a Gas Servicing Supervisor, a Clerical Assistant and 6 Gas Servicing Engineers.

89. FINANCIAL REPORT – FORECAST FULL YEAR AND ACTUAL FOR THE PERIOD APRIL 2004 TO OCTOBER 2004 (REPORT I).

The Cabinet considered the forecast budget variations of all Portfolios and Committees from the approved original estimates for 2004/05.

The Finance and Support Portfolio Holder said that overall the position was good. There was currently an under spend on the general fund revenue budget but it was still early in the financial year.

RECOMMENDED:

That the following supplementary estimates be approved:

- ***£30,000 for Catering (Finance and Support)***
- ***£32,000 for the Fawley Village Centre Scheme (Economy & Planning)***

RESOLVED:

That subject to the approval of the recommendation above:

- (i) The items set out in the revised General Fund budget in Appendix 1 of Report I to the Cabinet be approved;
- (ii) The revised capital expenditure as set out in Appendix 2 of Report I to the Cabinet be approved;
- (iii) The revised Housing Revenue Account as set out in Appendix 3 to Report I to the Cabinet be approved;
- (iv) The financial position of Commercial Services as set out in Appendix 4 of Report I to the Cabinet be noted; and
- (v) The actual expenditure to profiled budget positions of the General Fund, Capital Programme and Housing Revenue Account as set out in Appendices 1 to 3 of Report I to the Cabinet be noted.

90. COMMUNITY SAFETY OFFICERS (REPORT J).

Cllr Beck declared a personal interest as a member of New Milton Town Council. He did not consider his interest to be prejudicial. He remained at the meeting and took part in the discussion. He abstained from voting.

Cllr Kendal declared an interest as a member of Hampshire County Council. He did not consider his interest to be prejudicial. He remained at the meeting, took part in the discussion and voted.

The Cabinet considered the development of Hampshire County Council's Scheme for Accredited Community Safety Officers (ACSO) and, in the light of that development, a proposal to part fund two additional ACSO's to work within the New Forest District.

The Leader said that the County Council were intending to employ 8 community safety officers (ACSO's) and were currently recruiting. If NFDC agreed to provide funding towards an additional two officers it would be logical for this to be done now during the current recruitment process. The Leader stressed that the ACSO scheme was a pilot scheme and would be rolled out to further areas in due course.

It was proposed that the two additional ACSO's would be based in New Milton. New Milton Town Council had indicated their support for the scheme and said that they might be able to offer funding of £5000 towards it. They would consider the matter at their meeting on 14 December 2004.

New Milton and Hythe had been considered as the first bases for ACSO's as neither area had CCTV. However Hythe and Dibden Parish Council had said that they would prefer to have Community Warden style officers without any enforcement powers rather than ACSO's who had the maximum powers available to civilians, including the issuing of fixed penalty notices and confiscation powers.

Members noted that the Hampshire Police Authority had said that it would not be taking up the Government's offer of 25 Community Support Officers, as the funding for these was only available for 2 years.

RECOMMENDED:

- (a) That NFDC fund 90% of the salary costs (less any partner funding) for an additional two HCC Accredited Community Safety Officers to be based at New Milton;and**
- (b) That budgetary provision of £49,910 (less partner funding) be made for 2005/06 and subsequent years.**

RESOLVED:

That, subject to the agreement of the recommendation above, a supplementary estimate of £8,320 be agreed for 2004/05.

CHAIRMAN

(DEMOCRAT/CB011204/MINUTES.DOC)